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SUBJECT: ISRAEL AND JUSCANZ DISCUSS UN HUMAN RIGHTS
MECHANISMS

Summary

1.(U) USUN hosted a meeting January 30 to give Israel an opportunity to share views on the human rights mechanisms at the UN with members of JUSCANZ, a group from which they remain officially excluded. Representatives of ten countries joined the U.S. Mission Third Committee team for lunch to share thoughts on the recently-concluded Third Committee session. List of participants follows in para 8. Israel's low-keyed but informative participation was warmly welcomed, and participants urged that the same group meet again periodically to share human rights observations and strategies, particularly 2-3 months prior to the fall commencement of the UNGA Third Committee.

12. (U) Discussion centered around attitudes toward country-specific resolutions, the relationship between the Third Committee and the Human Rights Council (HRC), the treatment of thematic issues, the participation of Special Rapporteurs in Third Committee, and ways to build coalitions with moderate states. Following is a read-out of views expressed.

Country-Specific Resolutions

13. (U) The relatively late introduction of country-specific resolutions created difficulties for delegations this year. More widespread prior consultation about the introduction of country-specific resolutions, including prioritization of which country situations to address and whether they should be dealt with in Third Committee and/or in the Human Rights Council (HRC), would be useful and appreciated by partners. Several delegations questioned why JUSCANZ had declined to run a resolution on Sudan. Others observed that prior consultations with moderates within the NAM regarding country-specific resolutions might have resulted in more support, especially in reducing the number of abstentions on no-action motions advocated by Cuba and Belarus. In past years, consultations with the target country (such as Burma and DR Congo) had resulted in consensus resolutions and even some understanding/admission of conditions that needed to be changed by the country in question, albeit the texts were consequently weaker in their wording.

Third Committee-HRC Relationship

14. (U) Several delegations felt that the HRC had served to embolden hard-core NAM members to more militantly resist country-specific resolutions and to exacerbate in general the contentious atmosphere in Third Committee. If the institution matures, two delegates said there might be an improved likelihood of dealing with country situations in the HRC. Otherwise, the HRC will remain dysfunctional and indeed will continue to complicate the work of the Third Committee. The appearance of the President of the HRC before the GA Plenary had set a good precedent for future GA discussions of the responsibilities of the HRC, several delegations agreed. This year, the timing of holding HRC sessions immediately before and after the Third Committee session impinged on the ability of capitals to prepare their missions in New York. Delegations, as well as their human rights offices within foreign ministries, felt somewhat overwhelmed by the convergence of these almost back-to-back human rights events. They saw no near-term relief in sight for this workload issue.

Thematic Issues

15. (U) Serious discussion of thematic issues was given short shrift in the Third Committee. On the one hand, NAM members presented a greater number of contentious resolutions that came to a vote, often on thematic standards. The proportion of voted resolutions in 2006 rose to 42 percent, over 34 percent in 2005. On the other hand, the opportunity for meaningful discussion of reports such as the Secretary-General's report on violence against women, or the

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Pinheiro report on violence against children, was minimal, given that most delegates were engaged in informal

consultations when plenary debates occurred. It was suggested that as a universal body, the Third Committee could better focus on norms and themes, while the HRC could potentially concentrate on country situations. Several countries asserted that the role of the Third Committee in setting thematic standards far outweighed its value in other areas, including condemnation of specific countries. Others countered, however, that because the HRC composition was not currently conducive to setting standards or to condemning human rights violators, the Third Committee needed to continue to focus on the political priority of country situations rather than standard-setting. A plea was made for delegations to moderate their positions on "hobby-horse" issues that increased divisiveness in Third Committee (such as the death penalty and the ICC.)

Special Rapporteurs

16. (U) The participation of Special Rapporteurs in Third Committee this year came too closely on the heels of similar HRC discussions to be very useful. This was exacerbated by the absence of expert delegates from the sessions with Special Rapporteurs, as they were usually engaged in informal consultations. The Secretariat found it hard to predict which Rapporteurs would elicit the most questions and therefore needed more time for their inter-active dialogue. The Committee Bureau, after discussion, had decided against selectivity in inviting Rapporteurs. As almost all Rapporteurs offended at least some Member States, giving the Bureau a role in vetting the Rapporteurs could lead to a sharp diminution in the number who were invited, and consequently, a less meaningful discussion of human rights norms and practices. It was suggested that, in order to optimize the interaction with Rapporteurs and decide which ones needed more time, it could be helpful to create a speakers list beforehand.

Coalition-building

¶17. (U) Prior consultation with moderate/swing NAM states about priorities for Third Committee could lead to more support. Such consultations would need to take place well in advance of the Third Committee, to give smaller delegations the opportunity to formulate policies that were not simply in lock-step with the NAM leadership, which Cuba will lead for the next three years. A few JUSCANZ members mentioned that they had not been consulted prior to introduction of country-specific resolutions, and their support seemed to be taken for granted. Several expressed appreciation for the US initiative to engage in this round of post-mortem brainstorming, and they thoroughly accepted the presence of Israel. They urged that this group get together again on a regular basis and particularly some 2-3 months in advance of Third Committee.

¶18. (U) Participants included delegates from Andorra, Australia, Canada (JUSCANZ Chair), Israel, Japan, Liechtenstein, New Zealand, Norway, Republic of Korea, San Marino, and Switzerland. All of these countries, except Israel, are members of the Third Committee JUSCANZ group that meets throughout the Committee session to share information. While Israel has long sought inclusion, this year New Zealand and Switzerland adamantly blocked Israel's entry on grounds that Israel's human rights situation was deficient.

Comment

¶19. (U) Inclusion of an Israeli delegate at the USUN luncheon was constructive and accomplished without fanfare. It may be useful to convene this group periodically, and particularly some two to three months prior to the next Third Committee (i.e., in June or July), to review US and others' priorities for country-specific and other human rights resolutions in the 62nd UNGA session. Without encroaching on the JUSCANZ Chair's prerogatives, we will continue to try to enlist the support of JUSCANZ and Israel, together.

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